

**Amendment Offered by Mrs. Kelly, Mr.  
Watt, and Mr. Ross**

**To the Amendment in the Nature of a  
Substitute Offered by Mr. Oxley**

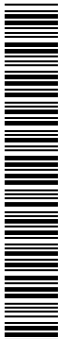
Page 59, line 9, strike “or”.

Page 59, line 19, strike the period and insert “; or”.

Page 59, after line 19, insert the following new sub-  
paragraph:

1           “(C) such information is restricted or re-  
2           ported using codes that do not identify, or pro-  
3           vide information sufficient to infer, the specific  
4           provider or the nature of such services, prod-  
5           ucts, or devices to a person other than the con-  
6           sumer, unless the report is being provided to an  
7           insurance company for a purpose relating to en-  
8           gaging in the business of insurance other than  
9           property and casualty insurance.

Page 63, after line 20, insert the following new sec-  
tion (and conform the table of contents accordingly):



1 **SEC. 702. CONFIDENTIALITY OF MEDICAL CONTACT INFOR-**  
2 **MATION IN CREDIT REPORTS.**

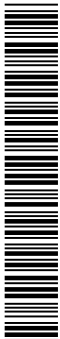
3 (a) DUTIES OF MEDICAL INFORMATION FUR-  
4 NISHERS.—Section 623(a) of the Fair Credit Reporting  
5 Act (15 U.S.C. 1681s-2(a)) is amended by adding the fol-  
6 lowing new paragraph:

7 “(6) DUTY TO PROVIDE NOTICE OF STATUS AS  
8 MEDICAL INFORMATION FURNISHER.—A person  
9 whose primary business is providing medical serv-  
10 ices, products, or devices, or the person’s agent or  
11 assignee, who furnishes information to a consumer  
12 reporting agency on a consumer shall be considered  
13 a medical information furnisher for the purposes of  
14 this title and shall notify the agency of such sta-  
15 tus.”.

16 (b) RESTRICTION OF DISSEMINATION OF MEDICAL  
17 CONTACT INFORMATION.—Section 605(a) of the Fair  
18 Credit Reporting Act (15 U.S.C. 1681c(a)) is amended by  
19 adding the following new paragraph:

20 “(6) The name, address, and telephone number  
21 of any medical information furnisher that has noti-  
22 fied the agency of its status, unless—

23 “(A) such name, address, and telephone  
24 number are restricted or reported using codes  
25 that do not identify, or provide information suf-  
26 ficient to infer, the specific provider or the na-



1           ture of such services, products, or devices to a  
2           person other than the consumer; or

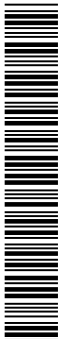
3           “(B) the report is being provided to an in-  
4           surance company for a purpose relating to en-  
5           gaging in the business of insurance other than  
6           property and casualty insurance.”.

7       (c) NO EXCEPTIONS ALLOWED FOR DOLLAR  
8 AMOUNTS.—Section 605(b) of the Fair Credit Reporting  
9 Act (15 U.S.C. 1681c(b)) is amended by striking “The  
10 provisions of subsection (a)” and inserting “The provi-  
11 sions of paragraphs (1) through (5) of subsection (a)”.

12       (d) COORDINATION WITH OTHER LAWS.—No provi-  
13 sion of any amendment made by this section shall be con-  
14 strued as altering, affecting, or superseding the applica-  
15 bility of any other provision of Federal law relating to  
16 medical confidentiality.”.

17       (e) FTC REGULATION OF CODING OF TRADE  
18 NAMES.—Section 621 of the Fair Credit Reporting Act  
19 (15 U.S.C. 1681s) is amended by inserting after sub-  
20 section (f) (as added by section 301 of this Act) the fol-  
21 lowing new subsection:

22       “(g) FTC REGULATION OF CODING OF TRADE  
23 NAMES.—If the Commission determines that a person de-  
24 scribed in paragraph (6) of section 623(a) has not met  
25 the requirements of such paragraph, the Commission shall



1 take action to ensure the person's compliance with such  
2 paragraph, which may include issuing model guidance or  
3 prescribing reasonable policies and procedures as nec-  
4 essary to ensure that such person complies with such para-  
5 graph.”.

6 (f) TECHNICAL AND CONFORMING AMENDMENTS.—  
7 Section 604(g) of the Fair Credit Reporting Act (15  
8 U.S.C. 1681b(g)) (as amended by section 701) is  
9 amended—

10 (1) in paragraph (1) by inserting “(other than  
11 medical contact information treated in the manner  
12 required under section 605(a)(6))” after “a con-  
13 sumer report that contains medical information”;  
14 and

15 (2) in paragraph (2) by inserting “(other than  
16 medical information treated in the manner required  
17 under section 605(a)(6))” after “a creditor shall not  
18 obtain or use medical contact information”.

19 (g) EFFECTIVE DATE.—The amendments made by  
20 this section shall take effect at the end of the 15-month  
21 period beginning on the date of the enactment of this Act.

